

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DISTRICT**

JP MORGAN CHASE BANK, NATIONAL
ASSOCIATION,

Plaintiff,

v.

ROBERT KOWALSKI, AKA ROBERT M.
KOWALSKI; UNKNOWN OWNERS AND
NON-RECORD CLAIMANTS; CHICAGO
TITLE LAND TRUST COMPANY s/i/i TO
BRIDGEVIEW BANK GROUP FKA
BRIDGEVIEW BANK AND TRUST COMPANY,
AS TRUSTEE UNDER TRUST AGREEMENT
DATED APRIL 24, 1993 AND KNOWN AS
TRUST NUMBER 1-2228; MARTHA
PADILLA; FEDERAL DEPOSIT INSURANCE
CORPORATION, AS RECEIVER FOR
WASHINGTON FEDERAL BANK FOR
SAVINGS,

Defendants.

Case No. 1:19-CV-05770

1512 W. Polk Street
Chicago, IL 60607

JOINT STATUS REPORT ON DISCOVERY

The parties hereby jointly submit this Status Report on Discovery pursuant to Court Order.

(See Dkt. 179).

A. PROGRESS ON DISCOVERY

1. Fact discovery has been completed as to the principal parties.
2. Discovery remains stayed as to Third-Party Defendant First Midwest Bank pending disposition of First Midwest Bank's *Motion to Dismiss Padilla's First Amended Third-Party Complaint*. (See Dkt. 141.)

B. EXPERT WITNESS DISCOVERY

Martha Padilla disclosed two expert witnesses. Defendant Federal Deposit Insurance Corporation, as Receiver for Washington Federal Bank for Savings (“FDIC-R”) filed a Motion to Strike the Expert Report of Expert Randall Hughes on January 5, 2022. (Dkt. 183.) Plaintiff JPMorgan Chase Bank, N.A. also has filed a Motion to Strike this report and joined the FDIC-R’s Motion. (Dkt. 186.) Pursuant to an agreed briefing schedule, Padilla’s Response to the Motions to Strike is due February 9, 2022, and replies by FDIC-R and Chase are due February 23, 2022. (Dkt. 185.)

No expert rebuttal witnesses were disclosed by the December 31, 2022 deadline, and there is no outstanding expert discovery.

C. PROGRESS ON SETTLEMENT DISCUSSIONS.

There has not been any significant progress on settlement since the settlement conference on May 13, 2021.

D. ANY OTHER ISSUES TO REPORT TO THE COURT.

First Midwest Bank’s *Motion to Dismiss Padilla’s First Amended Third-Party Complaint*, Chase’s *Motion for Summary Judgment as to the First Affirmative Defense of Defendant Martha Padilla*, and FDIC-R’s *Motion for Summary Judgment as to the Second Amended Counterclaim of Defendant Martha Padilla* are all fully briefed.

SUBMITTED JOINTLY AND BY AGREEMENT OF THE PARTIES:

Date: January 27, 2022

**PLAINTIFF JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION**

/s/ Shana A. Shifrin

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DEFENDANT MARTHA PADILLA

/s/ Joseph R. Ziccardi

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**DEFENDANT FEDERAL DEPOSIT
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AS RECEIVER FOR WASHINGTON
FEDERAL BANK FOR SAVINGS**

/s/ Jordana E. Thomadsen

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**THIRD-PARTY DEFENDANT FIRST
MIDWEST BANK**

/s/ Adam B. Rome

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